

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 5/5/08

CARLOS AUGUSTO LOPES,

Plaintiff,

-v-

MELLON INVESTOR SERVICES LLC, JPMORGAN CHASE & CO., WACHOVIA CORPORATION, WACHOVIA BANK, N.A., WACHOVIA/FIRST UNION BANK, HELENA BUSHROE, JOHN DOE AND JANE ROE,

Defendants.

07 Civ. 5928 (DLC)

ORDER

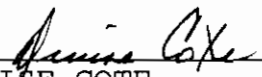
DENISE COTE, District Judge:

The Pretrial Order in this case was due April 18, 2008. The final pretrial conference was scheduled for May 7, 2008, and the trial was scheduled to begin May 12, 2008. When the Pretrial Order was not submitted, the Court contacted counsel for the plaintiff. Counsel submitted a letter dated April 24, 2008 reporting that the parties had agreed to a settlement and would file a stipulation of discontinuance upon consummation of the settlement. By memo endorsement, the Court informed the parties that if they did not submit the Pretrial Order documents by May 2, the case would be dismissed for failure to prosecute unless a stipulation of dismissal was received by that date. No Pretrial Order or stipulation of dismissal having been received, it is hereby

ORDERED that the case is dismissed for failure to prosecute.

SO ORDERED:

Dated: New York, New York
May 5, 2008



DENISE COTE
United States District Judge